United Nations S/PV.6616

Security Council

Sixty-sixth year

Provisional

6616th meeting

Thursday, 15 September 2011, 6.30 p.m.

New York

President:	Mr. Salam	(Lebanon)
Members:	Bosnia and Herzegovina	Ms. Čolaković
	Brazil	Mrs. Dunlop
	China	Mr. Yang Tao
	Colombia	Mr. Osorio
	France	Mr. Araud
	Gabon	Mr. Onanga Ndiaye
	Germany	Mr. Wittig
	India	Mr. Kumar
	Nigeria	Mr. Onemola
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Mashabane
	United Kingdom of Great Britain and Northern Ireland	Mr. Tatham
	United States of America	Mrs. DiCarlo

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 13 September 2011 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council (S/2011/574)

Letter dated 14 September 2011 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2011/575)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

11-49879 (E)

Please recycle

The meeting was called to order at 6.40 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 13 September 2011 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council (S/2011/574)

Letter dated 14 September 2011 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2011/575)

The President (*spoke in Arabic*): Under rule 37 of the Security Council's provisional rules of procedure, I invite the representative of Serbia to participate in this meeting.

On behalf of the Council, I welcome His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations, to participate in this meeting.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Enver Hoxhaj to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in response to a letter dated 14 September 2011 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council, contained in document S/2011/575.

I wish to draw the attention of Council members to document S/2011/574, containing a letter dated 13 September 2011 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council.

I now give the floor to Mr. Mulet.

Mr. Mulet: My briefing will focus on the persisting tensions in northern Kosovo since the Council's latest discussions on the situation a few weeks ago.

As mentioned in the briefing of Acting Special Representative of the Secretary-General Farid Zarif on 30 August (see S/PV.6604), following the 25 July events the Kosovo Force (KFOR) mediated a common understanding between all sides that KFOR would be responsible for the administrative boundary crossings — Gates 1 and 31 — in the North until at least today, 15 September. That understanding was intended to manage the situation until Belgrade and Pristina resumed the dialogue facilitated by the European Union in Brussels on 2 September. The implementation of the understanding led to a gradual, although not full, de-escalation of tensions in northern Kosovo and the removal of almost all roadblocks that had been set up by members of the Kosovo Serb community.

The 2 September meeting in Brussels dealt as planned with the issue of the Kosovo customs stamps, which had initially triggered Pristina's embargo on the Serbian goods and been one of the reasons given for the police operation in northern Kosovo on 25 July. Indeed, agreement was reached on the mutual recognition of customs stamps by Pristina and Belgrade. We understand that other customs-related issues, including the establishment of customs checks at the two gates in the North, were not addressed in the agreement.

The Security Council will recall that, prior to 25 July, the European Union Rule of Law Mission (EULEX) was in charge of the gates and exercised partial customs controls by recording the traffic at the gates and scanning documents. The information gained in that manner was shared with Kosovo police and customs, and with Serbian authorities via the EULEX Liaison Office in Belgrade. With EULEX police, EULEX customs also conducted joint random security checks.

As 15 September drew closer, the Kosovo authorities began announcing that they intended to establish full border and customs control functions at the gates after the expiration of the 15 September deadline for the KFOR regime there. In that regard, we understand that an operational plan has been prepared by Pristina, in coordination with EULEX, KFOR and

some other international stakeholders, to be implemented in a phased manner, starting tomorrow, 16 September. The current plan, according to information we obtained from various sources, entails EULEX resuming customs and border police duties at Gates 1 and 31, accompanied by two local officers at each of the two gates — one Kosovo customs officer and one Kosovo border police officer. We understand that efforts will be made to deploy one ethnic Albanian officer and one ethnic Serb officer. We also understand that, at this stage, there will be no revenue collection at the gates. According to EULEX, for commercial goods entering the Gate 31, customs fees will need to be paid at the Mitrovica South Customs Terminal.

A joint statement issued yesterday by the EU Special Representative and EULEX refers to the agreement reached on 2 September regarding the recognition of the customs stamps and notes that the EU Special Representative and EULEX were consulted by the authorities in Kosovo on the process of implementing that agreement and the EU expects the embargoes relating to trade between Serbia and Kosovo can now be lifted. The head of EULEX, Xavier Bout de Marnhac, stated that

> "This is all about improving the rule of law in the north which is in the interest of all law-abiding citizens and is what EULEX is for. There will be mixed teams at the gates. The operational work will be done by EULEX, according to its mandate."

In a press conference announcing the Kosovo authorities' plan for the implementation of the agreement, Kosovo Prime Minister Thaçi, stated that the plan was part of the overall "vision of the Government of Kosovo for the citizens of Kosovo living in the northern part of the country" that "will serve to expand the programme of local Government reform ... embedding and expanding the presence and authority of the Republic of Kosovo there". He added that he was sending a message "to all Serbs in northern Kosovo that the Government of Kosovo is in service to all citizens regardless of ethnicity".

At the same time, Pristina's plans for the establishment of customs controls at the gates are strongly opposed by the Kosovo Serbs in the North, who continue to reject the authority of the Kosovo institutions. In reaction to these recent statements, a number of peaceful protests were organized during the past week in the North, with the participation of Serbian schoolchildren, judicial and medical employees and others. Overall, an atmosphere of concern and anxiety seems to prevail, with the Kosovo Serbs showing increased vigilance and readiness to react to developments — for example, by re-establishing road blocks at the main bridge in Mitrovica, as well as the main roads in the North.

A number of local political representatives have also rejected the 2 September agreement on the customs stamps and have strongly criticized KFOR and EULEX for a lack of status neutrality, due to their support for Pristina's plans. In anticipation of developments at the gates, it has been announced that all public institutions and private businesses will be closed in northern Kosovo tomorrow, 16 September. Today, we were informed that, at 9 p.m. local time, Gate 1 was closed by KFOR due to approximately 100 Kosovo Serbs who had gathered there. Although not officially closed, Gate 31 has been sealed off by a Kosovo Serb-owned truck, completely blocking the road.

For its part, Belgrade has stood firm against Pristina's stated plans to establish customs checks in the North — an issue it expected to discuss in the context of the EU-facilitated dialogue. Serbian President Tadić stated in a press conference that "the fact that Serbia has been informed about Pristina's intentions does not mean that we accept these intentions". He said that Serbia would do everything it could for that not to occur, and warned the international institutions that "if it occurs, they bear responsibility for all the eventual consequences". He added that "This is now an attempt to impose unilateral solutions by KFOR and EULEX, who are obliged to be neutral in status" and that, for Serbia, "it is especially distressing that those who are ready for this sort of unilateral action are ready to do so with the use of force".

In the light of what I have mentioned, we are very concerned that the implementation of the announced plans could lead to a hardening of positions on the ground, threaten stability and lead to another outbreak of violence. Although not consulted on the substance of those plans by Pristina or other international interlocutors, the United Nations Interim Administration Mission in Kosovo has proactively approached all sides to gather information, facilitate communication and send messages — to both Belgrade

and Pristina, as well as to the northern Kosovo Serb leaders — advocating calm and discouraging unilateral action or the use of force and violence. During the past few days, Acting Special Representative of the Secretary-General Zarif has also met with many key interlocutors to personally convey that message, and facilitated a meeting between the northern Kosovo Serb leaders and the Deputy Commander of KFOR.

UNMIK will continue to work closely with all sides to identify a way forward that will aim to safeguard security and peace throughout Kosovo and avert a new crisis. We also expect that all international presences in Kosovo will discharge their mandated duties accordingly. But above all, it rests with the sides to demonstrate their full commitment to dialogue, reconciliation and peace, rather than unilateral action or the use of force. Today, Council members have the opportunity to send a clear message that Pristina and Belgrade need to take responsibility for preventing the recurrence of violence in northern Kosovo, tomorrow and in the future. We are opposed to unilateral action, on the one hand, and opposed to overheated rhetoric by any party, on the other, including any action that would threaten the gains and future of the dialogue.

The President (*spoke in Arabic*): I thank Mr. Mulet for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to continue our discussion on the subject in a private meeting.

The meeting rose at 7 p.m.